

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TRACY WALENCIEJ,

Plaintiff,

v.

**Civil Action 2:22-cv-3199
Chief Judge Algenon L. Marbley
Magistrate Judge Elizabeth P. Deavers**

EASTERN OHIO CORRECTION CENTER,

Defendant.

ORDER

This matter is before the Court for consideration of a Stipulation for Extension of time for Defendant Eastern Ohio Correction Center's Reply in Support of Defendant's Motion for Summary Judgment. (ECF No. 34.) This filing purports to submit the parties' stipulation to permit Defendant Eastern Ohio Correction Center until January 12, 2024, to file a Reply in support of Defendant's Motion for Summary Judgment. (*Id.*) Such stipulations, however, are not permitted under the Court's Local Civil Rules. Stipulated extensions of time are addressed by Local Civil Rule 6.1, which states:

6.1 Extensions of Time to Move or Plead

(a) Each party to an action may obtain stipulated extensions of time **not to exceed a total of twenty-one days** in which to file a motion in response to a pleading or any responsive pleading. This can be done only by filing with the Clerk a written stipulation between the parties for such extensions, provided, however, that the aggregate time extended to any party for all extensions by stipulation during the action shall not exceed a total of twenty-one days. A stipulation filed with the Clerk shall affirmatively state the new date for response agreed to by the parties and that no prior stipulated extensions to that party, together with the stipulated extension then filed, exceed a total of twenty-one days. If no such stipulation is obtained, or if additional extensions beyond the stipulated periods are requested, the party desiring an extension must obtain the approval of the Court.

(b) This Rule applies only to extensions of time to plead to a complaint, amended complaint, counterclaim, or a comparable pleading under Fed. R. Civ. P. 7(a). It does not permit stipulated extensions of time to respond to motions, Court orders, or other deadlines. All extensions other than those permitted by this Rule shall be upon motion.

S.D. Ohio Civ. R. 6.1 (emphasis added). The procedures for filing motions and requesting additional extensions of time are addressed by Local Civil Rules 7.2 and 7.3. Nevertheless, construing the subject stipulation as an unopposed motion brought in accordance with Local Civil Rule 7.3, the Court finds the motion to be well taken and **GRANTS** the extension. Accordingly, Defendant Eastern Ohio Correction Center shall have until **JANUARY 12, 2024**, to file a Reply in support of Defendant's Motion for Summary Judgment.

IT IS SO ORDERED.

DATED: December 29, 2023

/s/ Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE